

REMARKS

Claims 1-29 and 31 were originally filed in this application. Claims 3, 5 and 26-29 have been withdrawn, and claim 4 has been cancelled. In the Office Action of September 4, 2008, claims 1 2, 6-25, and 31 have been rejected. Applicants have amended claims 1, 2, and 30 in this reply.

Applicant thanks Examiner Shannon Saliard for the examiner interview on January 29, 2009 with U-Haul representative Steve Winkelman and Attorney Shahpar Shahpar.

Support for the amendments may be found in the originally filed specification, claims, and figures. No new matter has been introduced by these amendments. For example, support for the amendments can be found at paragraphs [0002], [0008], [0062], [0063], [0094], [0102], [0107], and [0108] of this published application. Reconsideration of this application is respectfully requested.

Drawing Figures Objection(s)

Based on a phone conference between Examiner Shannon Saliard and Attorney Shahpar Shahpar on January 26, 2009, Examiner Saliard has agreed to hold the objection to the drawings in abeyance (and allow any required changes to be made upon payment of the issue fee).

Claim Objection(s)

The Examiner indicates that misnumbered claim 31 is now renumbered to claim 30 and that line 6 of claim 31 needs to be changed from “form” to “from”. Applicant has renumbered claim 30 to claim 31 and changed the term “form” to “from” in line 6.

Rejection(s) under 35 U.S.C. § 112

Claims 1, 2, 6-9, 13-20, and 31 are rejected under 35 U.S.C. § 112 as allegedly being indefinite.

Based on the examiner interview on January 29, 2009, Applicant has clarified the claim language in claims 1, 2, and 30 to address this rejection.

Rejection(s) under 35 U.S.C. § 101

Claims 1, 2, 6-25, and 31 are rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter.

Based on the examiner interview on January 29, 2009, Applicant has clarified the claim language in claims 1, 2, and 30 to address this rejection.

Rejection(s) under 35 U.S.C. § 103

Claims 1, 17, and 31

Claims 1, 17, and 31 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over McCarty et al. (U.S. Patent No. 5,946,660).

McCarty fails to teach, advise, or suggest at least the following claim elements as recited in claims 1, 17, and 30:

a business network of a plurality of self-storage facilities, wherein the user is personnel of each self-storage facility and uses the business network to access inventory information and customer information of the plurality of self-storage facilities to generate reports for managing the operation of each self-storage facility;

...the room inventory database includes information pertaining to self-storage units located in the plurality of self-storage facilities of the business network;

a customer information capture...having information pertaining to customers of the plurality of self-storage facilities of the business network;

the reporting feature extracts and analyzes information from the room inventory database pertaining to self-storage units located in the plurality of self-storage facilities of the business network and extracts and analyzes information from the customer information capture pertaining to customers and generates reports for managing the operation of the storage facility, including reports for revenue, unit availability, reservations, open contracts, rent rolls and credit card information.

First, while McCarty uses a computer network to allow storage facilities to communicate with a command center 12 via a kiosk 22, McCarty fails to teach, advise, or suggest a business network of a plurality of self-storage facilities. The term “business network” is distinguishable

from the term “computer network” in the subject application. See paragraphs [0008], [0107], and [0108] of the subject application. McCarty only discloses a computer network, but not a business network.

Moreover, if the Examiner further searches and finds one or more references using a business network, secondary considerations are highly relevant to why the claimed invention would not be obvious over such references. See M.P.E.P. § 2141 (Section III). There is a long-felt need of competing businesses to have access to their competitors’ business operations (such as their business network of customers, customer information, pricing, policies, etc.). However, competitors are unwilling to share their business operations, which is the basis of their success. In this way, it is also contrary to accepted wisdom to allow competitors to have access to your business network, and indeed, businesses guard their business network from competitors. Finally, there would be commercial success if a business could have access to its competitors’ business network. These secondary considerations are highly relevant on the issue of why the claimed invention would not be obvious over references that may cite a business network without all the other features of the claimed invention.

Second, McCarty allows a customer to use kiosk 22 to communicate with command center 12 via a computer network in order to do rental transactions. However, the business network of claims 1, 17, and 30 allows personnel of each self-storage facility to use the business network to generate reports for managing the operation of each self-storage facility (in addition to doing rental transactions). McCarty fails to disclose generating reports for and managing the operation of each self-storage facility.

Third, even though McCarty uses a “management utility program”, it is not for managing the operation of each self-storage facility, but rather for changing the rental information for each storage unit. Moreover, McCarty fails to use information pertaining to the plurality of self-storage facilities of a business network and a customer information capture having information pertaining to customers of the plurality of self-storage facilities of the business network.

Fourth, McCarty fails to teach, advise, or suggest a reporting feature that extracts and analyzes information pertaining to the plurality of self-storage facilities of the business network

and generates reports for managing the operation of the storage facility (including reports for revenue, unit availability, reservations, open contracts, rent rolls and credit card information).

Thus, McCarty fails to teach, advise, or suggest one or more missing claimed elements, so that claims 1, 17, and 30 are patentable over McCarty.

Claims 2, 6, 9, 10, 14, 16, 18, and 20

Claims 2, 6, 9, 10, 14, 16, 18, and 20 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over McCarty in view of Gale (U.S. Pub. No. 2001/0025250).

McCarty in view of Gale fails to teach, advise, or suggest at least the following claim elements as recited in claims 2, 6, 9, 10, and 20:

a business network of a plurality of self-storage facilities, wherein the user is personnel of each self-storage facility and uses the business network to access inventory information and customer information of the plurality of self-storage facilities to generate reports for managing the operation of each self-storage facility;

...the room inventory database includes information pertaining to self-storage units located in the plurality of self-storage facilities of the business network;

...a customer information capture...having information pertaining to customers of the plurality of self-storage facilities of the business network;

wherein one or both of the inventory information capture and customer information capture include information for managing the operation of the plurality of self-storage facilities, including information on revenue, cash summaries, unit availability, facility utilization, reservations, open contracts, rent rolls and credit card information; and

the server using a rental transaction feature in communication with the inventory information capture and customer information capture and accessible to the user via the computer-terminal coupled to the server, wherein the rental transaction feature creates a rental agreement using information from the inventory information capture and the customer information capture, and wherein the rental agreement involves a plurality of self-storage units.

For the same reasons as discussed above in connection with claim 1, McCarty fails to teach, advise, or suggest the above missing claimed elements as recited in claims 2, 6, 9, 10, and 20.

In light of the foregoing remarks in connection with claim 1 (from which claims 14, 16, and 18 variously depend), Applicant respectfully traverses this rejection and requests reconsideration and withdrawal of the rejection.

Thus, McCarty in view of Gale fails to teach, advise, or suggest one or more missing claimed elements, so that claims 2, 6, 9, 10, 14, 16, 18, and 20 are patentable over McCarty in view of Gale.

Claims 7, 8, 21, 22, and 24

Claims 7, 8, 21, 22, and 24 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over McCarty in view of Gale as applied to claim 2 and further in view of Hafen (U.S. Pub. No. 2003/0023453).

In light of the foregoing remarks in connection with claims 1 and 2, claims 7, 8, 21, 22, and 24 variously depend from claim 2, so that Applicant respectfully traverses this rejection and requests reconsideration and withdrawal of the rejection.

Claims 11 and 23

Claims 11 and 23 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over McCarty in view of Gale and Hafen as applied to claims 2 and 22 and further in view of Vasquez (article entitled Housing Crunch...Leave Area).

In light of the foregoing remarks in connection with claims 1 and 2 (from which claims 11 and 23 variously depend), Applicant respectfully traverses this rejection and requests reconsideration and withdrawal of the rejection.

Claim 12

Claim 12 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over McCarty in view of Hafen as applied to claim 11 and further in view of Inomata (U.S. Patent No. 6,999,825).

In light of the foregoing remarks in connection with claim 2, claim 12 depends from claim 2, so that Applicant respectfully traverses this rejection and requests reconsideration and withdrawal of the rejection.

Claim 13

Claim 13 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over McCarty in view of Taylor (U.S. Pub. No. 2002/0010601).

In light of the foregoing remarks in connection with claim 1, claim 13 depends from claim 1, so that Applicant respectfully traverses this rejection and requests reconsideration and withdrawal of the rejection.

Claim 15

Claim 15 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over McCarty in view of Gross (U.S. Patent No. 6,721,716).

In light of the foregoing remarks in connection with claim 1, claim 15 depends from claim 1, so that Applicant respectfully traverses this rejection and requests reconsideration and withdrawal of the rejection.

Claim 19

Claim 19 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over McCarty in view of Brady (U.S. Pub. No. 2004/0088318).

In light of the foregoing remarks in connection with claim 1, claim 19 depends from claim 1, so that Applicant respectfully traverses this rejection and requests reconsideration and withdrawal of the rejection.

Claim 23

Claim 23 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over McCarty in view of Gale and Hafen as applied to claim 22 and further in view of Official Notice.

In light of the foregoing remarks in connection with claim 2, claim 23 depends from claim 2, so that Applicant respectfully traverses this rejection and requests reconsideration and withdrawal of the rejection.

Claim 25

Claim 25 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over McCarty in view of Gale and Hafen as applied to claim 22 and further in view of Petkovsek (U.S. Pub. No. 2002/0111923).

In light of the foregoing remarks in connection with claim 2, claim 25 depends from claim 2, so that Applicant respectfully traverses this rejection and requests reconsideration and withdrawal of the rejection.

Conclusion

Thus, the Applicant respectfully submits that the subject application is in condition for allowance. Reconsideration of the application is thus requested. Applicant invites the Office to telephone the undersigned attorney if he or she has any questions whatsoever regarding this Response or the subject application in general. The Commissioner is authorized to charge any additional fees to maintain this application or to deposit any overpayment to Deposit Account No. 503289.

Respectfully submitted,

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